

HOUSE No. 1617

By Mr. Petersen of Marblehead, petition of Douglas W. Petersen and others relative to the review the delivery of behavioral health services in the Commonwealth. Mental Health and Substance Abuse.

The Commonwealth of Massachusetts

PETITION OF:

Douglas W. Petersen	Barbara A. L'Italien
Ruth B. Balser	David B. Sullivan
Mary E. Grant	John W. Scibak
Kay Khan	

In the Year Two Thousand and Five.

AN ACT TO REVIEW THE DELIVERY OF BEHAVIORAL HEALTH SERVICES IN THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Notwithstanding the provisions of any general or special law to
2 the contrary, a study commission is hereby established to review
3 the Division of Medical Assistance's arrangements with all man-
4 aged care organizations and all entities that manage behavioral
5 health services. The Senate President and the Speaker of the
6 House shall appoint the commission, which shall be composed of
7 one representative each from the Division of Medical Assistance,
8 Department of Mental Health, Department of Public Health,
9 Mental Health Legal Advisors Committee, Department of Social
10 Services, a mental health consumers group, an organization repre-
11 senting providers of mental health services, Massachusetts Public
12 Interest Research Group, Alliance for the Mentally Ill — Massa-
13 chusetts, a union representing mental health workers, Massachu-
14 setts Legal Assistance Corporation, a union representing
15 substance abuse workers, a group representing consumers of sub-
16 stance abuse services, and an organization representing insurers.
17 Such review shall include, but not be limited to, an analysis of the

18 processes used to approve or deny services; the processes used to
19 determine medical necessity including the appeal process and
20 notice to enrollees; the coordination of policies that impact clients
21 of the Department of Mental Health, the Department of Social
22 Services and the Department of Public Health; the coordination of
23 policies with providers of services; whether providers are being
24 compensated appropriate rates for the provision of services, suffi-
25 cient to pay adequate compensation to mental health professionals
26 and workers; the terms and impact of the financial arrangements
27 and incentives between the Division of Medical Assistance and
28 the managed care organizations and entities that manage behav-
29 ioral health services; the terms and impact of the financial
30 arrangements and incentives between the managed care organiza-
31 tions and any entities that manage behavioral health services and
32 between managed care organizations and any entities that manage
33 behavioral health services and mental health providers. Said
34 review and analysis shall include recommendations for future
35 oversight, shall analyze whether the continuation of any of said
36 arrangements is in the best interests of consumers, shall be com-
37 pleted by September 1, 2003, shall include public hearings, and
38 shall be submitted to the Governor, the Senate President, and the
39 Speaker of the House of Representatives. The report shall be
40 available to the general public and neither its contents or under-
41 lying data, including the terms of financial arrangements and
42 incentives, shall be considered proprietary.